IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL, CIVIL JURISDICTION

WRIT PETITION LODGING NO.2827 OF 2006

M/s.Sterling Meta Plast India

Pvt. Ltd. ..Petitioner

Vs.

The State of Maharashtra & Ors...Respondents

Mr. Hemant Sethi i/b. Harilal Thakar & Co., for the Petitioner.
Mr. K.R. Belosey, Govt. Pleader for the Respondents

CORAM: F.I. REBELLO &
ANOOP V. MOHTA, JJ.
DATE: 22ND DECEMBER, 2006

P.C.

. Rule.

2. On December 12, 2006 we have called on the concerned respondents and the Officers to file reply as to why disciplinary action should not be taken. The matter pertains to the seizure of sun glasses, which issue was covered by the judgment of this Court in Writ Petition No.120 of 2004 decided on 5th May, 2006. Inspite of that sun glasses were seized from the premises of the petitioners on the ground that they were prepacked commodities. This prima facie would clearly disclose that the concerned officers inspite of the judgment of this Court were trying to

circumvent the orders of this Court. Every civil servant is supposed to act in aid and assistance of this Court and not to circumvent the judgments of this Court. The affidavit of Govind Ananda Padghan, Respondent No.4 is a clear indicator of what has been stated therein. The affidavits had been filed by Shri Sanjeev B. Nandargi and Shri Madhukar Pulsing Rathod. Their contention is that the judgment was not brought to their attention. Considering the above, before any further action is taken we direct respondent No.1 through the Secretary of the Department to conduct an enquiry as to how the orders of this Court were not complied with and submit a preliminary report to this Court. Place the matter on board on 29th January, 2007.

(**F.I. REBELLO, J)**

(**ANOOP V. MOHTA J).**